



## City of Santa Barbara California

### STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** February 6, 2008  
**AGENDA DATE:** February 13, 2008  
**PROJECT ADDRESS:** 520 W. Figueroa Street (MST2006-00394)  
**TO:** Staff Hearing Officer  
**FROM:** Planning Division, (805) 564-5470  
Jan Hubbell, AICP, Senior Planner  
Kelly Brodison, Assistant Planner

#### **I. PROJECT DESCRIPTION**

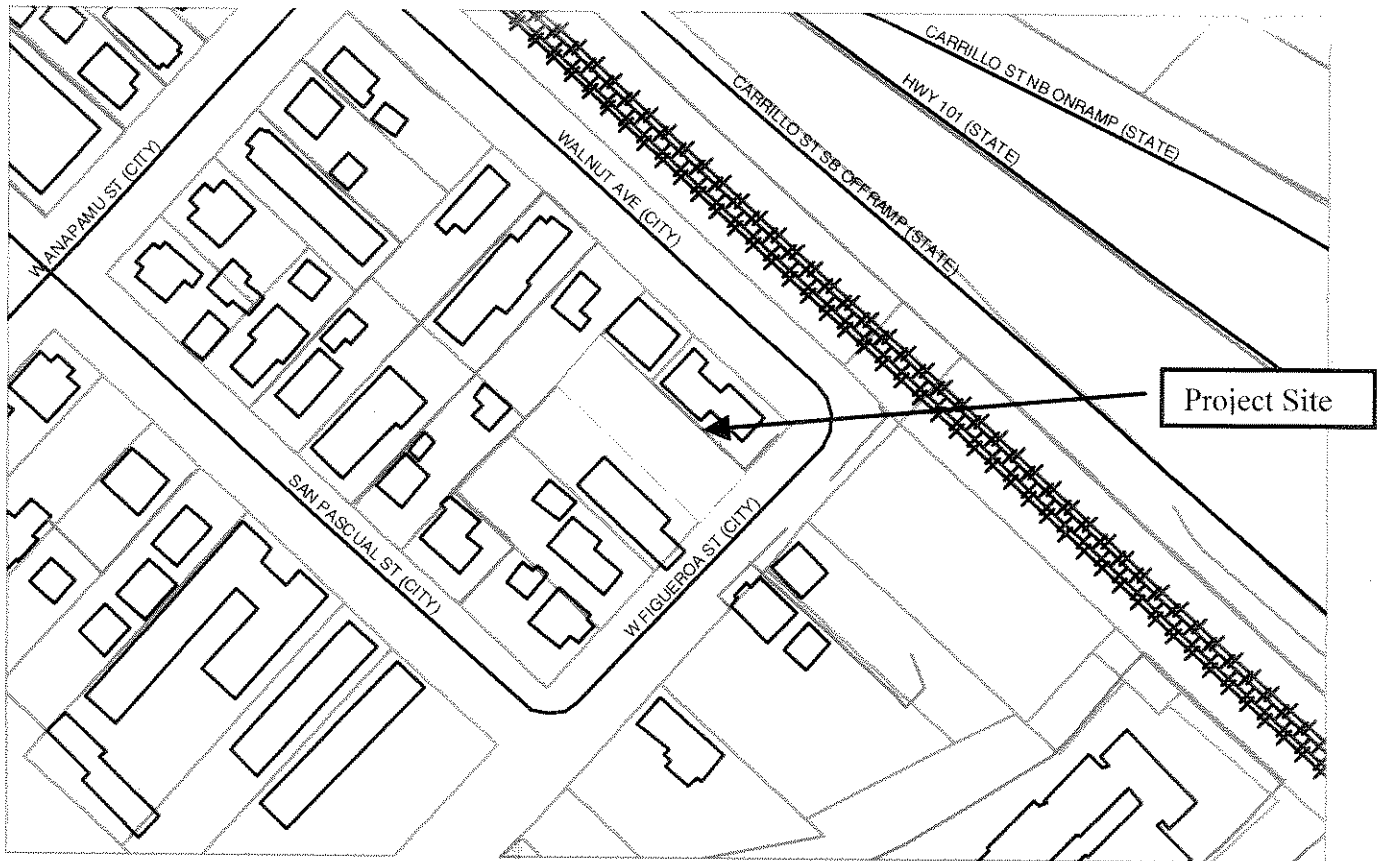
The project consists of a proposal to demolish an existing single-family residence and construct a new two-story building containing three condominium units, each with three bedrooms, on a 7,500 square foot lot in the R-3 Zone. The units would be approximately 1,500 square feet, each with a 441 square two car garage. An estimate of 100 cubic yards of grading would be required.

#### **II. REQUIRED APPLICATIONS**

The discretionary application required for this project is a Tentative Subdivision Map for a one-lot subdivision to create three (3) residential condominium units (SBMC §27.07 and §27.13)

#### **III. RECOMMENDATION**

The proposed project would conform to the City's Zoning and Building Ordinances and policies of the General Plan. In addition, the size and massing of the project are consistent with the surrounding neighborhood. Therefore, Staff recommends that the Staff Hearing Officer approve the project, making the findings outlined in Section VII of this report, and subject to the conditions of approval in Exhibit A.



Vicinity Map for 520 W. Figueroa Street

**APPLICATION DEEMED COMPLETE:** January 22, 2008  
**DATE ACTION REQUIRED PER MAP ACT:** April 10, 2008

#### IV. SITE INFORMATION AND PROJECT STATISTICS

##### A. SITE INFORMATION

Applicant: Tom Morrison	Property Owner: Baltadano Family Trust
Parcel Number: 039-202-011	Lot Area: 7,500
General Plan: Residential 12 units/acre	Zoning: R-3
Existing Use: Residential	Topography: Flat
Adjacent Land Uses:	
North – Residential	South – Residential
East – Residential	West – Residential

## B. PROJECT STATISTICS

	Existing	Proposed Unit 1	Proposed Unit 2	Proposed Unit 3
Living Area	1,473	1,521	1,498	1,534
Garage	N/A	441	441	441

## V. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/ Allowance	Existing	Proposed
Setbacks			
-Front	10' 1-2 stories	11'	10' - 1 <sup>st</sup> & 2 <sup>nd</sup> story
-Interior	6' 1-2 stories	2'-8"	6' - 1 <sup>st</sup> & 2 <sup>nd</sup> story
-Rear	6' 1 <sup>st</sup> story 10' 2 <sup>nd</sup> story	N/A	6' - 1 <sup>st</sup> story 10' - 2 <sup>nd</sup> story
Building Height	3 stories & 45'	One story	25'
Parking	2 covered spaces (SFR) 1.5 spaces (1 bd) 2 spaces (2 bd or more)	N/A	6 covered
Density	3 units*	1	3
15% Open Space	1,125 sq. ft.	N/A	1,875 sq. ft.
Lot Coverage			
-Building	N/A	1,552 sf 20%	3,009 sf 40%
-Paving/ Drive	N/A	1,975 sf 26%	2,226 sf 30%
-Landscaping	N/A	3,973 sf 54%	2,265 sf 30%
-Total	N/A	7,500 sf 100%	7,500 sf 100%

\*For existing lots between 7,000 and 14,000 square feet of lot area, such lot may be used as a building site for three (3) units per (SBMC §28.21.080).

The proposed project would meet the requirements of the R-3 Multiple-Family Residence Zone with regard to parking requirements, setbacks, density, open yard and private yard requirements, building height, and the Solar Ordinance.

## VI. ISSUES

### A. PHYSICAL STANDARDS FOR NEW CONDOMINIUMS

In addition to the requirements of the zone in which a project is located, physical standards are required for all new condominium projects per SBMC §27.13.060. The project would meet the parking standard with two covered parking spaces for each unit. Separate utility meters would be provided for each unit. Each unit would have individual laundry facilities. Finally, the

project would also meet the minimum requirements for density, unit size and outdoor living space.

## **B. DESIGN REVIEW**

This project was reviewed by the Architectural Board of Review (ABR) on three separate occasions (meeting minutes are attached as Exhibit D). At the last ABR review on May 14, 2007, the ABR forwarded the project to the Staff Hearing Officer with the comment that the project is ready for preliminary approval and requested the applicant to study the roof forms and the separation of the trellis from the building over the garages.

## **C. COMPLIANCE WITH THE GENERAL PLAN**

### **Land Use Element**

The proposed project is located within the Westside neighborhood as described in the Land Use Element of the General Plan. The Westside is bounded on the north and east by Highway 101; on the south by Carrillo Street and the base of the Mesa Hills; and on the southwest by the base of the hills containing Bel Air Knolls. San Andres Street generally divides the single family and duplex dwellings on the easterly side from the more dense, multi-family housing on the westerly side of the street. The proposed project would be located on the easterly side of San Andres Street. The proposed development would occupy a lot that was developed for many years with one dwelling. Since the site is developed and fairly level, there would be minimal grading necessary to develop the site. The project would be subject to the density requirements of the R-3/R-4 Multiple Family Residential Zone with a density of 12 dwelling units per acre. However, the General Plan Land Use and Housing Elements recognize that, in zones where variable density standards apply, development may exceed the limit of 12 units per acre without causing an inappropriate increase in the intensity of activities. The proposed project would result in a density of approximately 17 units per acre which, based on the above discussion, would be consistent with the Land Use and Housing Elements of the General Plan as well as the neighborhood.

The surrounding lots are developed mostly with multifamily development and a few single family dwellings. In some cases, there are several residential units on one legal parcel. Parking for the project would be provided on site with two covered spaces per unit, consistent with the Land Use Element direction of bringing new development into compliance with the parking requirements. The proposed project would include the required outdoor private open space and is within walking distance of Bohnett Park. The project is located within five blocks of the commercial area of the Westside and is also walking distance from a pedestrian bridge that spans the 101 Freeway, providing pedestrian or bicycle access to downtown Santa Barbara. Therefore, the project can be found consistent with the General Plan.

### **Housing Element**

Santa Barbara has very little vacant or available land for new residential development. Therefore, City housing policies support build-out of infill housing units in the City's urban areas. The City's Housing Element encourages construction of a wide range of housing types to meet the needs of various household types. The project would be consistent with the Housing Element as it will contribute two additional residential units to the City's existing housing stock. The Planning Commission has recently expressed concern about the large size of proposed condominium units. The Commission has established an informal "guideline limited condominium sizes to 85% of the lot area required under variable density. The proposed living areas for all three units are under this "rule of thumb" guideline which would be approximately 2,390 square feet for three-bedroom units. On average, the three units and the attached garages are about 40% of the lot area required for the units under variable density.

### **D. ENVIRONMENTAL REVIEW**

*Archaeological Resources:* The project site is located within the Prehistoric Watercourse, Hispanic-American Transition Period, (1850-1870), American Period, (1870-1900), and the Early 20<sup>th</sup> Century, (1900-1920) Cultural Resource Sensitivity Zones. Per the requirements of the City's Master Environmental Assessment, a Phase 1 Archaeological Resources Report was prepared by Western Points Archaeology. This Report was reviewed and accepted by the Historic Landmarks Commission on June 13, 2007. It was determined that there is minimal potential for encountering archaeological deposits during future ground disturbances and no further archaeological work is necessary or recommended at this time. The standard condition of approval related to unanticipated archaeological resources has been included.

*Noise:* The project site is located in close proximity to Highway 101 and Southern Pacific Railroad. A review of the City's Noise Contour Map indicates that the project is within an area in which the noise level exceeds 60 dBA Ldn (average A-weighted sound level over a 24-hour day). The guideline for exterior noise levels for residential uses is 60 dBA Ldn. The guideline for interior noise levels for residential uses is 45 dBA Ldn. Staff had some initial concerns that the required Private Outdoor Living Space may not meet this noise guideline. The applicant provided a Noise Study that concluded the proposed project can comply with the exterior noise guidelines. The applicant successfully demonstrated the project would not exceed these thresholds due to its design and location of the Private Outdoor Living Space.

*Conclusion:* Staff and the Environmental Analyst have determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15303 (New Construction of Small Structures) and 15315 (Minor Land Divisions).

## **VII. FINDINGS**

The Staff Hearing Officer finds the following:

### **A. THE TENTATIVE MAP (SBMC §27.07.100)**

The Tentative Subdivision Map is consistent with the General Plan and the Zoning Ordinance of the City of Santa Barbara. The site is physically suitable for the proposed development, the project is consistent with the variable density provisions of the Municipal Code and the General Plan, and the proposed use is consistent with the vision for this neighborhood of the General Plan. The design of the project will not cause substantial environmental damage, and associated improvements will not cause serious public health problems.

**B. THE NEW CONDOMINIUM DEVELOPMENT (SBMC §27.13.080)**

1. There is compliance with all provisions of the City's Condominium Ordinance.  
*The project complies with the physical standards for condominiums related to parking, private storage space, utility metering, laundry facilities, density, and outdoor living space requirements.*
2. The proposed development is consistent with the General Plan of the City of Santa Barbara.  
*The project can be found consistent with policies of the City's General Plan including the Housing Element, Circulation Element and Land Use Element. The project will provide infill residential development that is compatible with the surrounding neighborhood.*
3. The proposed development is consistent with the principles of sound community planning and will not have an adverse impact upon the neighborhood's aesthetics, parks, streets, traffic, parking and other community facilities and resources.  
*The project is an infill residential project proposed in an area where multi-family developments are permitted. The project is adequately served by public streets, will provide adequate parking to meet the demands of the project and will not result in traffic impacts. The design has been reviewed by the City's design review board, which found the architecture and site design appropriate.*

**Exhibits:**

- A. Conditions of Approval
- B. Site Plan
- C. Applicant's letter, dated January 22, 2008
- D. ABR Minutes

## STAFF HEARING OFFICER CONDITIONS OF APPROVAL

520 W. FIGUEROA STREET  
TENTATIVE SUBDIVISION MAP  
FEBRUARY 13, 2008

In consideration of the project approval granted by the Staff Hearing Officer and for the benefit of the owner(s) and occupant(s) of the Real Property, the owners and occupants of adjacent real property and the public generally, the following terms and conditions are imposed on the use, possession, and enjoyment of the Real Property:

- A. **Recorded Agreement.** Prior to the issuance of any Public Works permit or Building permit for the project on the Real Property, the Owner shall execute an "Agreement Relating to Subdivision Map Conditions Imposed on Real Property", which shall be reviewed as to form and content by the City Attorney, Community Development Director and Public Works Director, recorded in the Office of the County Recorder, and shall include the following:
1. **Uninterrupted Water Flow.** The Owner shall provide for the uninterrupted flow of water through the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.
  2. **Recreational Vehicle Storage Prohibition.** No recreational vehicles, boats, or trailers shall be stored on the Real Property.
  3. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan approved by the Architectural Board of Review (ABR). Such plan shall not be modified unless prior written approval is obtained from the ABR. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan. If said landscaping is removed for any reason without approval by the ABR, the owner is responsible for its immediate replacement.
  4. **Storm Water Pollution Control and Drainage Systems Maintenance.** Owner shall maintain the drainage system and storm water pollution control devices intended to intercept siltation and other potential pollutants (including, but not limited to, hydrocarbons, fecal bacteria, herbicides, fertilizers, etc. ) in a functioning state (and in accordance with the Operations and Maintenance Procedure Plan approved by the Building Official). Should any of the project's surface or subsurface drainage structures or storm water pollution control methods fail to capture, infiltrate, and/or treat, or result in increased erosion, the Owner shall be responsible for any necessary repairs to the system and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicant shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or a new Building Permit is required to authorize such work. The Owner is responsible for the adequacy of any project-related drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health, or damage to the Real Property or any adjoining property.

5. **Approved Development.** The development of the Real Property approved by the Staff Hearing Officer on February 13, 2008, is limited to three (3) dwelling units and the improvements shown on the Tentative Subdivision Map signed by the Staff Hearing Officer on said date and on file at the City of Santa Barbara.
  6. **Required Private Covenants.** The Owners shall record in the official records of Santa Barbara County either private covenants, a reciprocal easement agreement, or a similar agreement which, among other things, shall provide for all of the following:
    - a. **Common Area Maintenance.** An express method for the appropriate and regular maintenance of the common areas, common access ways, common utilities and other similar shared or common facilities or improvements of the development, which methodology shall also provide for an appropriate cost-sharing of such regular maintenance among the various owners of the condominium units.
    - b. **Garages Available for Parking.** A covenant that includes a requirement that all garages be kept open and available for the parking of vehicles owned by the residents of the property in the manner for which the garages were designed and permitted.
    - c. **Landscape Maintenance.** A covenant that provides that the landscaping shown on the approved Landscaping Plan shall be maintained and preserved at all times in accordance with the Plan.
    - d. **Trash and Recycling.** Trash holding areas shall include recycling containers with at least equal capacity as the trash containers, and trash/recycling areas shall be easily accessed by the consumer and the trash hauler. Green waste shall either have containers adequate for the landscaping or be hauled off site by the landscaping maintenance company. If no green waste containers are provided for common interest developments, include an item in the CC&Rs stating that the green waste will be hauled off site.
    - e. **Covenant Enforcement.** A covenant that permits each owner to contractually enforce the terms of the private covenants, reciprocal easement agreement, or similar agreement required by this condition.
- B. Public Works Submittal Prior to Parcel Map Approval.** The Owner shall submit the following, or evidence of completion of the following, to the Public Works Department for review and approval, prior to processing the approval of the Parcel Map and prior to the issuance of any permits for the project:
1. **Parcel Map.** The Owner shall submit to the Public Works Department for approval, a Parcel Map prepared by a licensed land surveyor or registered Civil Engineer. The Parcel Map shall conform to the requirements of the City Survey Control Ordinance.
  2. **Dedication(s).** Easements as shown on the approved Tentative Subdivision Map and described as follows, subject to approval of the easement scope and location by the Public Works Department and/or the Building and Safety Division:



- a. All street purposes along Figueroa Street in order to establish a six-foot wide clearance at the back of the access ramp for the public right-of-way.
3. **Water Rights Assignment Agreement.** The Owner shall assign to the City of Santa Barbara the exclusive right to extract ground water from under the Real Property in an "Agreement Assigning Water Extraction Rights." Engineering Division Staff will prepare said agreement for the Owner's signature.
4. **Required Private Covenants.** The Owner shall submit a copy of the recorded private covenants, reciprocal easement agreement, or similar private agreements required for the project. If the private covenants required pursuant to Section A.\*\* above have not yet been approved by the Department of Real Estate, a draft of such covenants shall be submitted.
5. **Drainage Calculations.** The Owner shall submit final drainage calculations prepared by a registered civil engineer or licensed architect demonstrating that the new development will not increase runoff amounts above existing conditions for a 25-year storm event. Any increase in runoff shall be retained on-site.
6. **Drainage and Water Quality.** Project drainage shall be designed, installed, and maintained such that stormwater runoff from the first inch of rain from any storm event shall be retained and treated onsite in accordance with the City's NPDES Storm Water Management Permit. Runoff should be directed into a passive water treatment method such as a bioswale, landscape feature (planter beds and/or lawns), infiltration trench, etc. Project plans for grading, drainage, stormwater treatment methods, and project development, shall be subject to review and approval by City Building Division and Public Works Department. Sufficient engineered design and adequate measures shall be employed to ensure that no significant construction-related or long-term effects from increased runoff, erosion and sedimentation, urban water pollutants (such as ...), or groundwater pollutants would result from the project. The Owner shall maintain the drainage system and storm water pollution control methods in a functioning state.
7. **W. Figueroa Street Public Improvements.** The Owner shall submit C-1 public improvement plans for construction of improvements along the property frontage on W. Figueroa Street. The C-1 plans shall be submitted separately from plans submitted for a Building Permit. As determined by the Public Works Department, the improvements shall be constructed to City standards: new six-foot wide sidewalk, four-foot wide parkway, supply and install one new street tree minimum 24 inch box size & species determined by the City Arborist, new driveway apron modified to meet Title 24 requirements, establish flowline for new curb & gutter, slurry seal to the centerline of the street along entire subject property frontage and a minimum of 20 feet beyond the limit of all trenching, underground service utilities, connection to City water and sewer mains, on-site drainage improvements with supporting drainage calculations for installation of drainage pipe, curb drain outlets, detention, and erosion, on-site biofilter/swale sized per drainage calculations, preserve and/or reset survey

monuments, and provide adequate positive drainage from site. Any work in the public right-of-way requires a Public Works Permit.

8. **Land Development Agreement.** The Owner shall submit an executed "Agreement for Land Development Improvements," prepared by the Engineering Division, an Engineer's Estimate, signed, and stamped by a registered civil engineer, and securities for construction of improvements prior to execution of the agreement.
9. **Removal or Relocation of Public Facilities.** Removal or relocation of any public utilities or structures must be performed by the Owner or by the person or persons having ownership or control thereof.

C. **Design Review.** The following items are subject to the review and approval of the Architectural Board of Review (ABR). ABR shall not grant preliminary approval of the project until the following conditions have been satisfied.

1. **Tree Removal and Replacement.** All trees removed, except fruit trees and street trees approved for removal, without replacement, by the Parks Department, shall be replaced on-site on a one-for-one basis with minimum 15 gallon size tree(s) of an appropriate species or like species.
2. **Useable Common Open Space.** Adequate usable common open space shall be provided in a location accessible by all units within the development.
3. **Minimize Visual Effect of Paving.** Textured or colored pavement shall be used in paved areas of the project to minimize the visual effect of the expanse of paving, create a pedestrian environment, and provide access for all users.
4. **Screened Check Valve/Backflow.** The check valve or anti-backflow devices for fire sprinkler and/or irrigation systems shall be provided in a location screened from public view or included in the exterior wall of the building.
5. **Permeable Paving.** Incorporate a permeable paving system for the project driveway that will allow a portion of the paved area runoff to percolate into the ground, except as necessary to meet Fire Department weight requirements. Materials in driveways and parking areas must be approved by the Transportation Manager.

D. **Public Works Requirements Prior to Building Permit Issuance.** The Owner shall submit the following, or evidence of completion of the following to the Public Works Department for review and approval, prior to the issuance of a Building Permit for the project.

1. **Recordation of Parcel Map and Agreements.** After City Council approval, the Owner shall provide evidence of recordation to the Public Works Department.
2. **Approved Public Improvement Plans and Concurrent Issuance of Public Works Permit.** Upon acceptance of the approved public improvement plans, a Public Works permit shall be issued concurrently with a Building permit.

**E. Community Development Requirements Prior to Building or Public Works Permit Application/Issuance.** The following shall be finalized prior to, and/or submitted with, the application for any Building or Public Works permit:

1. **Contractor and Subcontractor Notification.** The Owner shall notify in writing all contractors and subcontractors of the site rules, restrictions, and Conditions of Approval. Submit a copy of the notice to the Planning Division.
2. **Park Commission Tree Removal Approval.** Submit to the Planning Division verification of approval from the Park Commission for the removal of palm trees with a trunk diameter greater than four (4) inches at a point twenty-four (24) inches above the ground in the front yard setback.
3. **Tenant Displacement Assistance Ordinance Compliance.** Submit evidence of compliance with the Tenant Displacement Assistance Ordinance (SBMC Chapter 28.89).

**F. Building Permit Plan Requirements.** The following requirements/notes shall be incorporated into the construction plans submitted to the Building and Safety Division for Building permits.

1. **Design Review Requirements.** Plans shall show all design, landscape and tree protection elements, as approved by the Architectural Board of Review, outlined in Section C above.
2. **Post-Construction Erosion Control and Water Quality Plan.** Provide an engineered drainage plan that addresses the existing drainage patterns and leads towards improvement of the quality and rate of water run-off conditions from the site by capturing, infiltrating, and/or treating drainage and preventing erosion. The Owner shall, to the maximum extent practicable, employ passive water quality methods, such as bioswales, catch basins, or storm drain on the Real Property, or other measures specified in the Erosion Control Plan, to intercept all sediment and other potential pollutants (including, but not limited to, hydrocarbons, fecal bacteria, herbicides, fertilizers, etc.) from the parking lot areas and other improved, hard-surfaced areas prior to discharge into the public storm drain system, including any creeks. All proposed methods shall be reviewed and approved by the Public Works Department and the Building and Safety Division. Maintenance of these facilities shall be provided by the Owner, as outlined in Condition A.4., above, which shall include the regular sweeping and/or vacuuming of parking areas and drainage and storm water methods maintenance program.
3. **Trash Enclosure Provision.** A trash enclosure with adequate area for recycling containers (an area that allows for a minimum of 50 percent of the total capacity for recycling containers) shall be provided on the Real Property and screened from view from surrounding properties and the street.

Dumpsters and containers with a capacity of 1.5 cubic yards or more shall ~~not be placed~~ within five (5) feet of combustible walls, openings, or roofs, unless protected with fire sprinklers.

4. **Utilities.** Provide individual water, electricity, and gas meters, and sewer lateral for each residential unit. Service lines for each unit shall be separate until a point five feet (5') outside the building.
5. **Conditions on Plans/Signatures.** The final Staff Hearing Officer Resolution shall be provided on a full size drawing sheet as part of the drawing sets. Each condition shall have a sheet and/or note reference to verify condition compliance. If the condition relates to a document submittal, indicate the status of the submittal (e.g., Final Map submitted to Public Works Department for review). A statement shall also be placed on the above sheet as follows: The undersigned have read and understand the above conditions, and agree to abide by any and all conditions which is their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

_____ Property Owner		_____ Date
_____ Contractor	_____ Date	_____ License No.
_____ Designer	_____ Date	_____ License No.
_____ Engineer	_____ Date	_____ License No.

- G. **Construction Implementation Requirements.** All of these construction requirements shall be carried out in the field by the Owner and/or Contractor for the duration of the project construction.

1. **Demolition/Construction Materials Recycling.** Recycling and/or reuse of demolition/construction materials shall be carried out to the extent feasible, and containers shall be provided on site for that purpose, in order to minimize construction-generated waste conveyed to the landfill. Indicate on the plans the location of a container of sufficient size to handle the materials, subject to review and approval by the City Solid Waste Specialist, for collection of demolition/construction materials. A minimum of 90% of demolition and construction materials shall be recycled or reused. Evidence shall be submitted at each inspection to show that recycling and/or reuse goals are being met.
2. **Sandstone Curb Recycling.** Any existing sandstone curb in the public right-of-way that is removed and not reused shall be salvaged and sent to the City Corporation Annex Yard.

3. **Construction-Related Truck Trips.** Construction-related truck trips shall not be scheduled during peak hours (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.). The purpose of this condition is to help reduce truck traffic on adjacent streets and roadways.
4. **Construction Related Traffic Routes.** The route of construction-related traffic shall be established to minimize trips through surrounding residential neighborhoods, subject to approval by the Public Works Director.
5. **Haul Routes.** The haul route(s) for all construction-related trucks, three tons or more, entering or exiting the site, shall be approved by the Public Works Director.
6. **Construction Hours.** Construction (including preparation for construction work) is prohibited Monday through Friday before 7:00 a.m. and after 5:00 p.m., and all day on Saturdays, Sundays and holidays observed by the City of Santa Barbara, as shown below:

New Year's Day	January 1st*
Martin Luther King's Birthday	3rd Monday in January
Presidents' Day	3rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4th*
Labor Day	1st Monday in September
Thanksgiving Day	4th Thursday in November
Following Thanksgiving Day	Friday following Thanksgiving Day
Christmas Day	December 25th*

\*When a holiday falls on a Saturday or Sunday, the preceding Friday or following Monday, respectively, shall be observed as a legal holiday.

When, based on required construction type or other appropriate reasons, it is necessary to do work outside the allowed construction hours, contractor shall contact the Chief of Building and Safety to request a waiver from the above construction hours, using the procedure outlined in Santa Barbara Municipal Code §9.16.015 Construction Work at Night. Contractor shall notify all residents within 300 feet of the parcel of intent to carry out night construction a minimum of 48 hours prior to said construction. Said notification shall include what the work includes, the reason for the work, the duration of the proposed work and a contact number.

7. **Construction Parking/Storage/Staging.** Construction parking and storage shall be provided as follows:
  - a. During construction, free parking spaces for construction workers and construction shall be provided on-site or off-site in a location subject to the approval of the Public Works Director. Construction workers are prohibited from parking within the public right-of-way, except as outlined in subparagraph b. below.

- b. Parking in the public right of way is permitted as posted by Municipal Code, or reasonably allowed for in the 2006 Greenbook (or latest reference), and with a Public Works permit in restricted parking zones. No more than three (3) individual parking permits *without extensions* may be issued for the life of the project.
  - c. Storage or staging of construction materials and equipment within the public right-of-way shall not be permitted, unless approved by the Transportation Manager.
8. **Water Sprinkling During Grading.** During site grading and transportation of fill materials, regular water sprinkling shall occur on-site, using reclaimed water whenever the Public Works Director determines that it is reasonably available. During clearing, grading, earth moving or excavation, sufficient quantities of water, through use of either water trucks or sprinkler systems, shall be applied on-site to prevent dust from leaving the site. Each day, after construction activities cease, the entire area of disturbed soil shall be sufficiently moistened to create a crust.
- Throughout construction, water trucks or sprinkler systems shall also be used to keep all areas of vehicle movement on-site damp enough to prevent dust raised from leaving the site. At a minimum, this will include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency will be required whenever the wind speed exceeds 15 mph.
9. **Expeditious Paving.** All roadways, driveways, sidewalks, etc., shall be paved as soon as possible. Additionally, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used, as directed by the Building Inspector.
10. **Street Sweeping.** The property frontage and adjacent property frontages, and parking and staging areas at the construction site shall be swept daily to decrease sediment transport to the public storm drain system and dust.
11. **Erosion/Sedimentation Control.** An Erosion/Sedimentation Control Plan shall be submitted with the proposed development plans that conforms to the requirements of the Building & Safety Erosion/Sedimentation Control Policy.
12. **Construction Contact Sign.** Immediately after Building permit issuance, signage shall be posted at the points of entry to the site that list the contractor's telephone number(s), work hours, site rules, and construction-related conditions, to assist Building Inspectors and Police Officers in the enforcement of the conditions of approval. The font size shall be a minimum of 0.5 inches in height.
13. **Construction Equipment Maintenance.** All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.
14. **Graffiti Abatement Required.** Owner and Contractor shall be responsible for removal of all graffiti as quickly as possible. Graffiti not removed within 24 hours of notice by

the Building and Safety Division may result in a Stop Work order being issued. It may be removed by the City, at the Owner's expense, as provided in SBMC Chapter 9.66.

15. **Unanticipated Archaeological Resources Contractor Notification.** Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and the applicant shall retain an archaeologist from the most current City Qualified Archaeologists List. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

**H. Prior to Certificate of Occupancy.** Prior to issuance of the Certificate of Occupancy, the Owner of the Real Property shall complete the following:

1. **Repair Damaged Public Improvements.** Repair any damaged public improvements *caused by construction* (curbs, gutters, sidewalks, roadways, etc.) subject to the review and approval of the Public Works Department per SBMC §22.60.090. Where tree roots are the cause of the damage, the roots shall be pruned under the direction of a qualified arborist.
2. **Complete Public Improvements.** Public improvements, as shown in the building plans, including utility service undergrounding and installation of street trees.
3. **Manholes.** Raise all sewer and water manholes on easement to final finished grade.
4. **Noise Measurements.** Submit a final report from a licensed acoustical engineer, verifying that interior and exterior living area noise levels are within acceptable levels as specified in the Noise Element. In the event the noise is not mitigated to acceptable

levels, additional mitigation measures shall be recommended by the noise specialist and implemented subject to the review and approval of the Building and Safety Division and the Architectural Board of Review (ABR).

5. **Evidence of Private CC&Rs Recordation.** Evidence shall be provided that the private CC&Rs required in Section A have been recorded.

- I. **Litigation Indemnification Agreement.** In the event the Planning Commission approval of the Project is appealed to the City Council, Applicant/Owner hereby agrees to defend the City, its officers, employees, agents, consultants and independent contractors ("City's Agents") from any third party legal challenge to the City Council's denial of the appeal and approval of the Project, including, but not limited to, challenges filed pursuant to the California Environmental Quality Act (collectively "Claims"). Applicant/Owner further agrees to indemnify and hold harmless the City and the City's Agents from any award of attorney fees or court costs made in connection with any Claim.

Applicant/Owner shall execute a written agreement, in a form approved by the City Attorney, evidencing the foregoing commitments of defense and indemnification within thirty (30) days of the City Council denial of the appeal and approval of the Project. These commitments of defense and indemnification are material conditions of the approval of the Project. If Applicant/Owner fails to execute the required defense and indemnification agreement within the time allotted, the Project approval shall become null and void absent subsequent acceptance of the agreement by the City, which acceptance shall be within the City's sole and absolute discretion. Nothing contained in this condition shall prevent the City or the City's Agents from independently defending any Claim. If the City or the City's Agents decide to independently defend a Claim, the City and the City's Agents shall bear their own attorney fees, expenses, and costs of that independent defense.

#### **NOTICE OF TENTATIVE SUBDIVISION MAP (INCLUDING NEW CONDOMINIUMS AND CONDOMINIUM CONVERSIONS) TIME LIMITS:**

The Staff Hearing Officer's action approving the Tentative Map shall expire two (2) years from the date of approval. The subdivider may request an extension of this time period in accordance with Santa Barbara Municipal Code §27.07.110.





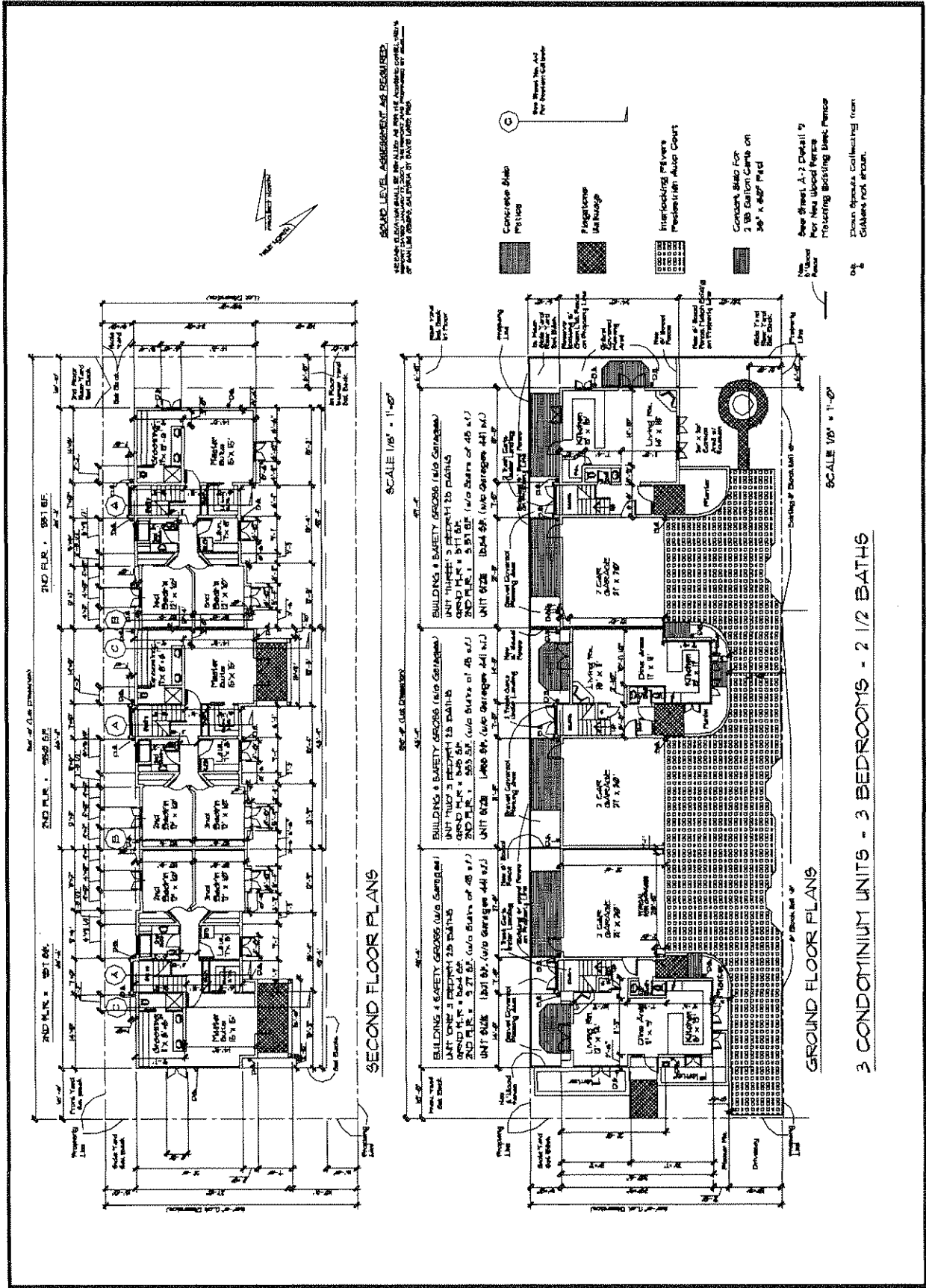
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THOMAS J. ROSSIGNOL & ASSOCIATES  
ARCHITECTS - PLANNERS - ENGINEERS  
100 WEST PHILADELPHIA AVE. SUITE 100  
PHILADELPHIA, PA. 19106  
TEL: 215-592-1234

PROJECT: 3 UNIT CONDO PLANS  
DATE: 10/1/88  
DRAWN BY: J. ROSSIGNOL  
CHECKED BY: T. ROSSIGNOL  
APPROVED BY: T. ROSSIGNOL



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DATE	
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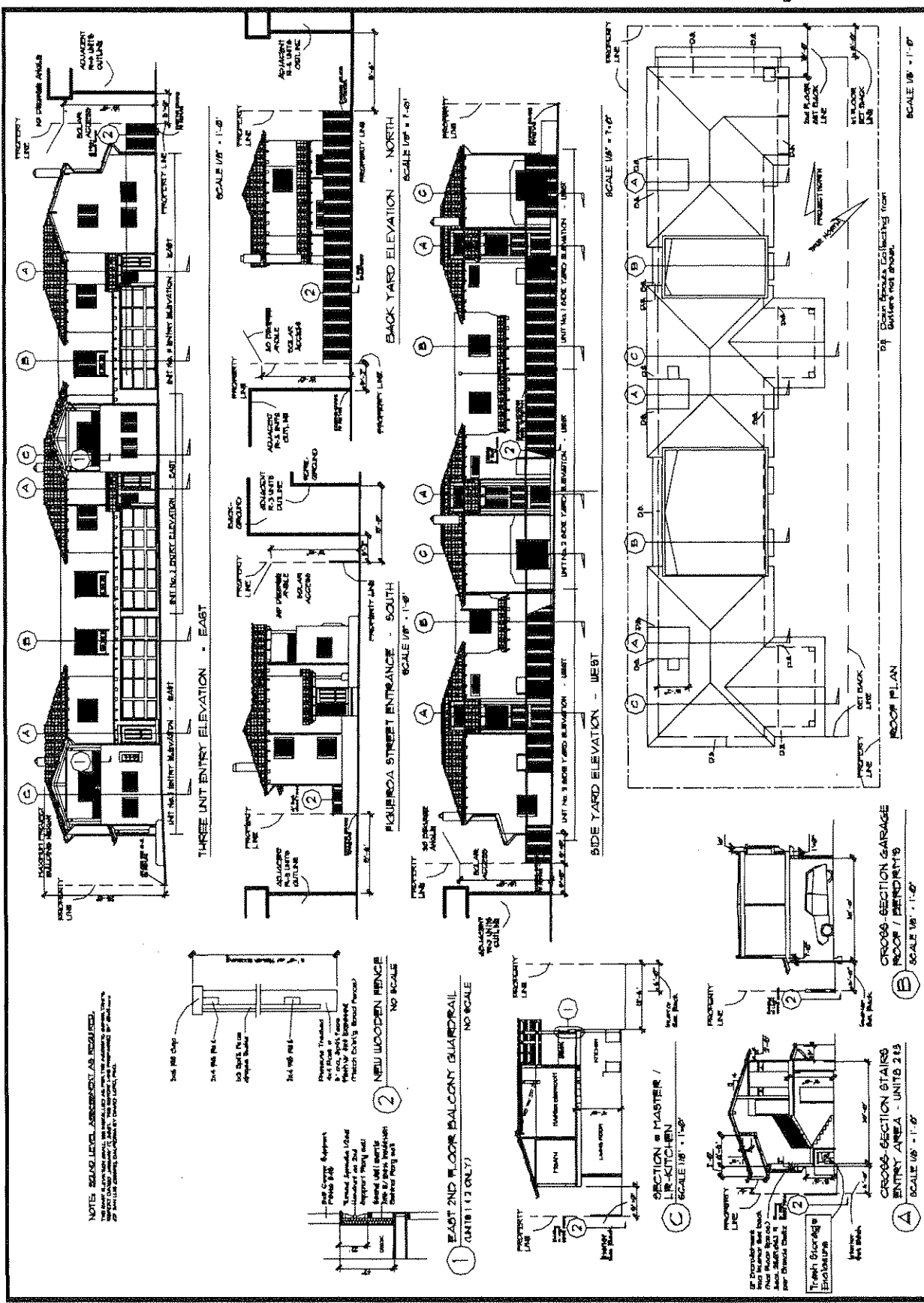
**THOMAS J. ROBINSON & ASSOCIATES**  
 ARCHITECTS - PLANNERS - ENGINEERS  
 100 WEST PUEBLOA & CONDO COMPLEX  
 SANTA BARBARA, CA 93101

**EXTERIOR ELEVATIONS**



NOT FOR  
CONSTRUCTION

DATE	1-1-88
BY	J.R.
CHECKED	J.R.
APPROVED	J.R.
PROJECT	100 WEST PUEBLOA & CONDO COMPLEX
SHEET	A-2



NOTE: SOLAR LEVEL ADJUSTMENT AS REQUIRED.  
 THIS PLAN AND ELEVATION ARE PREPARED FOR THE ADDRESS OF 100 WEST PUEBLOA, SANTA BARBARA, CALIFORNIA 93101. THE ADDRESS OF 100 WEST PUEBLOA, SANTA BARBARA, CALIFORNIA 93101.

City of Santa Barbara  
Staff Hearing Officer  
Ms. Bettie L. Weiss  
City Planner

Date of Submittal: January 22, 2008

**SUBMITTAL PACKAGE STAFF HEARING OFFICER**

**Project Location:**

520 West Figueroa Street  
Parcel 039-202-011  
Zoning District R-3  
Three Unit Condominium  
Lot Size 50 ft x 150 ft

Owner: Baltadano Family Trust  
Attn: Mr. Pedro R. Baltadano  
3003 Calle Noguera  
Santa Barbara CA 93105-2882



We are submitting this package as requested.

We are asking for:

1. Approval of the Project as submitted.
2. Removal of an existing single family residence.
3. Approval of the Tentative Parcel Map for 3 condominiums on an existing R-3 zoned lot.
4. Approval of open space allocation, in excess of the required 15%, as shown on Sheet A-S and calculated by method 'B' of code section 28.21.081 of the ordinances.

There is no recognizable historic or redeeming quality to the existing single family residence of 1,552 square feet one story wood framed construction. It is a building that has been added onto with no attempt to harmonize the style of the original architecture.

By Santa Barbara city records, the site is listed as 0.17 Acres in the County Assessor's Rolls with a lot size estimate from the city's GIS System of 7,549.78 square feet, as shown for parcel number 039-202-011.

The only 2 trees of measurable size are a dead palm tree and a massive mature avocado tree in a location that prohibits its saving. Both trees will be removed during construction.

Three double car garages will enhance the current parking and neighborhood. The present residence has no enclosed or covered parking, vehicles are left randomly in the street, side or back yard. The ratio of lot coverage are: paving 30%, building 40% and landscaping 30% as shown on drawing A-S.

Preliminary review of soil cut and fill indicate balance.

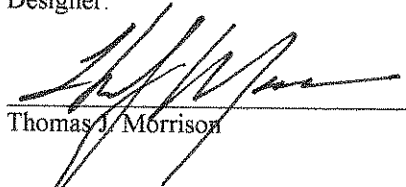
The best use of the property is to infill and complete the contiguous zoned R-3 use of multiple residential units, owned or rented. Refer to "Surrounding Property Uses" on A-S.

Respectfully submitted:

Owner:

Pedro R. Baltadano

Designer:

  
Thomas J. Morrison



ARCHITECTURAL BOARD OF REVIEW  
CASE SUMMARY

520 W FIGUEROA ST

MST2006-00394

R-NEW

Page: 1

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**Project Description:**

Proposal to construct a two-story, three-unit residential condominium project. Each new unit would be approximately 1,400 square feet with three bedrooms and have an attached 420 square foot two-car garage. The existing 1,473 square foot single-family residence on the 7,550 square foot parcel would be demolished.

**Activities:**

5/14/2007

*ABR-Concept Review (Continued)*

*(Third Concept Review.)*

*(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT AND STAFF HEARING OFFICER APPROVAL OF A TENTATIVE SUBDIVISION MAP FOR CONDOMINIUMS.)*

*(8:45)*

*Present: Thomas Morrison, Designer.*

*Motion: Continued indefinitely to the Staff Hearing Officer and return to Full Board with the following comments:*

- 1) The project is Ready for Preliminary Approval.*
- 2) Study a better transition between the sloped roofs into the flat roofs.*
- 3) Study separating the trellis from the building over the proposed garages.*
- 4) Study the first floor roof forms at the west elevation.*
- 5) Study the location of electric meters.*

*Action: Zink/Aurell, 5/0/0. (Manson-Hing absent. Mosel and Wienke stepped down.)*

4/25/2007

*ABR-Resubmittal Received*

10/30/2006

*ABR-Concept Review (Continued)*

*(Second Concept Review.)*

**Activities:**

*(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT AND STAFF HEARING OFFICER APPROVAL OF A TENTATIVE SUBDIVISION MAP FOR CONDOMINIUMS.)*

*(7:10)*

*Present: Thomas Morrison, Designer.*

*Motion: Continued indefinitely to the Full Board with the following comments:*

*1) The applicant is to further study offsetting the wall planes, especially on the west elevation, so that the plan reflects the vertical wall breakups on the exterior elevation. 2) Provide a true off-set where the stair is flush with the wall and with the siding underneath, to provide a true offset. 3) The break up of the main roofs is mostly successful; however, the applicant is to study simplifying the lower eyebrow entry-roof elements of the entry. Consider a post at the corner to simplify the roof connection. 4) Study the window proportions so that the windows appear more vertical, rather than horizontal, in keeping with the style. 5) Increase the dimension of the upper level of the second floor bedroom at the east elevation. 6) Increase the mass of the wing wall at the far south side of the west elevation at the reveal of the living room of Unit #1. 7) Maximize landscape opportunities, especially in the front yard setback, by reconfiguring the front entry from the street, and eliminating the lateral sidewalk connection to the driveway.*

*Action: Manson-Hing/Blakeley, 5/0/0. Motion carried. (LeCron absent. Mudge and Wienke stepped down.)*

**10/16/2006**

***ABR-Resubmittal Received***

*Per the ABR direction, the application has resubmitted for further concept review.*

**8/28/2006**

***ABR-Notice Prepared-PC/SHO Req***

*Renoticing of postponed project.*

**8/28/2006**

***ABR-Concept Review (New) - PH***

*(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT AND STAFF HEARING OFFICER APPROVAL OF A TENTATIVE SUBDIVISION MAP FOR CONDOMINIUMS.)*

*(4:39)*

*Present: Thomas J. Morrison, Designer.*

*Public comment opened at 4:50 p.m., and as no one wished to speak, closed at 4:50 p.m.*

*Motion: Continued indefinitely to the Full Board with the following comments: 1) The overall site plan concept appears to be moving in the right direction. 2) Look for ways to:*  
*a. Seize opportunities to express entries of the front 2 units to be neighborhood friendly. b. Consider flipping the configuration of the Unit #2 entry to face the driveway entrance. c. Study differentiating the*

**Activities:**

pedestrian path along the driveway leading to the rearmost units. d) Provide a more direct street sidewalk approach to Unit # 1. 3) The Board is concerned with the linearity and boxiness expressed on the front and side elevations. Study the use of one and two-story elements to provide relief. Look for ways to vary the roof heights, such as lowering the roof forms at stair. 4) The Board is concerned with the height and confinement of the proposed plastered enclosure wall height of the living room patio. Restudy the height and/or location to be more open and welcoming. 5) The applicant is to review, with the Transportation Department, the absolute minimum turning requirements for garage access to increase the amount of driveway planter. 6) Provide a more usable landscape proposal that allows multiple uses by residents within the proposed rear common area. 7) Study trash enclosure locations. 8) The applicant is to study the use of low patio type walls within the front yard to help layer the architecture. 9) Reconsider the location of the second story decks, after the sound study has been prepared. 10) Study additional charm giving elements to the architecture, such as small trellises over the garage doors, with vine or planter pockets; enhanced window detailing and trellis elements; further enhancement of the unit entry areas; use of carriage style garage doors. 11) Consider planting canopy trees.

Action: Sherry/Manson-Hing, 5/0/0. Mosel and Wienke stepped down. LeCron absent.

**7/31/2006*****ABR-Notice Prepared-PC/SO Req*****7/31/2006*****ABR-Notice Prepared-PC/SO Req***

Item postponed at applicant's request. Notice of postponement sent out on 7/24/2006.

**7/21/2006*****ABR-Correspondence/Contact***

Thomas Morrison is out of town until August 8th. Please schedule him for the August 14th meeting